

**In the United States District Court  
For the Southern District of Georgia  
Waycross Division**

ROBERT WENDELL SMITH,

Plaintiff,

v.

ASHLEY WILSON; and JESUS TOVAR,

Defendants.

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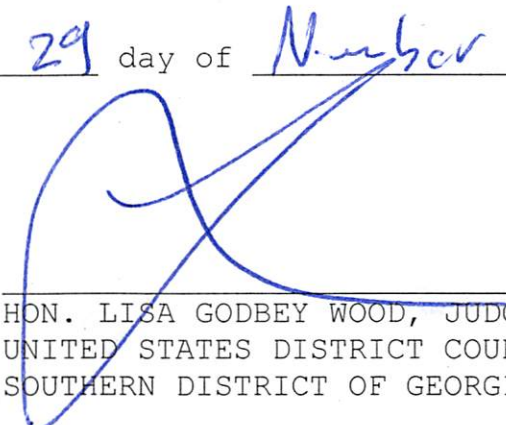
CIVIL ACTION NO.: 5:21-cv-53

**ORDER**

After an independent and de novo review of the entire record, the Court concurs with the Magistrate Judge's Report and Recommendation, dkt. no. 15, to which Plaintiff filed no Objections.

Thus, the Court **ADOPTS** the Magistrate Judge's Report and Recommendation as the opinion of the Court and **DISMISSES** all Plaintiff's claims against Defendants Wooten, Cole, and Smith, and Plaintiff's official capacity claims against Defendants Wilson and Tovar. Plaintiff's Fourth Amendment excessive force claims against Defendants Wilson and Tovar in their individual capacities and deprivation of property claim against Defendant Wilson in her individual capacity remain pending.

SO ORDERED, this 29 day of November, 2021.



HON. LISA GODBEY WOOD, JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA